

REPLY UNDER 37 C.F.R. §1.116
EXPEDITED PROCEDURE
GROUP ART UNIT 1617

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Fernand LABRIE

Serial No.: 09/405,678

Filed: September 24, 1999

Examiner: S. Wang

Group Art Unit: 1617

Date: August 19, 2002

For: MEDICAL USES OF A SELECTIVE ESTROGEN RECEPTOR MODULATOR IN
COMBINATION WITH SEX STEROID PRECURSORS

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

REQUEST FOR CONTINUED EXAMINATION

Sir:

This is a Request for Continued Examination (RCE) under the provisions of 37 C.F.R. § 1.14, of the above-identified application.

Check No. 10468 which includes the RCE fee of \$740.00 and any

extension/suspension fee, is enclosed herewith.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the under-payment to Deposit Account No. 15-0700.

If this communication is filed after a shortened statutory time period in said pending application had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

X If checked, please enter and consider the Amendment previously filed on

March 19, 2002 under 37 C.F.R. § 1.116.

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☒ If checked, a Reply.

☐ If checked, please consider the arguments in the Appeal Brief and Reply Brief previously submitted.

☐ If checked, suspension of action is requested under 37 C.F.R. § 1.103(c) for a period of _____ months (3 maximum).

EXPRESS MAIL CERTIFICATE

Respectfully submitted,

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail to Addressee (mail label #EM023991652US) in an envelope addressed to: Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202, on August 19, 2002:

Dorothy Jenkins

Name of Person Mailing Correspondence

Dorothy Jenkins

Signature

August 19, 2002

Date of Signature

WOG/CCA:lac

Charles C. Achkar

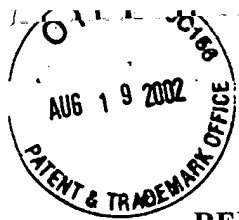
Registration No.: 43,311

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Arlington, VA 22202

REPLY

Sir:

This is a response to the Office Action mailed September 19, 2001 in the above-identified application. Reconsideration of the application is respectfully requested.

FEE CALCULATION

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.